AFFIDAVIT

I, the undersigned,

NICOLE DREYER

do hereby make oath and say that:

1. I am an adult female currently residing at 24 Woodgate Road, Plumstead, Western Cape.

2. The facts deposed to in this affidavit, save where otherwise stated or indicated, are within my personal knowledge, and are to the best of my belief both true and correct.

THE PARTIES

3. I am the applicant herein and approached Children's Court on 7 June 2019 to request a low contact parenting plan due to ongoing psychological and emotional abuse by the defendant. I am the plaintiff in the divorce action under Case No. RCD WYN / 695 / 15 for which I am requesting a new parenting agreement.

4. Mark Timothy Holgate, my former husband, is the Defendant in the divorce action and the case in Children's Court, currently residing at 6 Compass Close, Marina da Gama, Muizenberg, Western Cape

CHILDREN'S COURT APPLICATION FOR NEW PP

1. I came to Children's Court almost a year and a half ago with assistance for a low contact parenting plan due to ongoing psychological and emotional abuse by Mark Timothy Holgate. I wanted to move away with Jed and for Jed to visit his father during the holidays and to have legal signing power for education, medical and therapeutic requirements for Jed and all matters pertaining to his welfare to avoid further dealings with Mark Holgate and to provide a safe, stable, healthier environment for Jed.

2. I signed a new parenting plan in August 2020 at pressure by BADISA to finalise this before the next court appearance and because I realised when I was in mediation that BADISA had still not investigated my case or claims for over a year, because I do not have the physical health or financial resources to continue with this matter and due to the fact that my trauma gets "triggered" every time I am forced to engage directly with Mark Holgate which is counter productive to recovery and can further "embed" trauma.

3. I have furnished BADISA with two parenting plan proposals at their request and neither have been referred to during this process.

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4. I was informed by BADISA that they would notify the court that I refused to sign the new parenting plan if I did not sign it.

5. BADISA, the FCS and the person put on my case of complaint with the Department of Social Development have been informed of the abuse and my Emphysema since the start of my case with them. This is a degenerative and terminal illness if not addressed quickly which has been ignored by Mark since 2018 and BADISA during the events of this case.

6. I am high risk for COVID mortality due to my pre-existing lung condition and have been advised by my doctor to avoid public places.

7. My medical aid was halted due to non-payment in March 2020 and I have not had time or funds to address the Emphysema further or to seek treatment. BADISA was informed of this and ignored my requests to not be physically present in court during COVID.

8. I have had to do my own legal admin and try to prove my case myself in the Department of Social Justice for a year and four six months despite my physical health and the resultant trauma from the ongoing abuse.

9. I am now severely in debt due to lost work hours with ongoing legal matters, being accused publicly of being "schizophrenic" by Mark

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Holgate (work referrals have dried up) and now home schooling for Jed to keep both my mother (on the same property and high risk for COVID) and myself safe.

10. My mother and I are about to sell our home.

11. I can not afford legal representation for court and I am not prepared to put my life at risk any longer during COVID-19 to represent myself in person and am unable to pursue this matter.

12. My physical health has declined substantially due to the ongoing stress, the ongoing abuse and the lack of support and intervention by relevant government departments put in place, specifically, to manage and assist with this. I have repeatedly informed BADISA of this and have been ignored. Jed shows concern and comments frequently on my health as the degeneraton since I began this case has been clearly visible despite my best efforts to stay healthy.

13. I have spoken truthfully, played with open cards, adhered to the law in full and provided all relevant evidence via email (and in hard copy to BADISA) and various Departments in the DoJ and emails keeping relevant parties informed of my health conditions, the history and ongoing emotioanl and psychological abuse, the proceedings that followed and broken protocol. I have been ignored, accused of being

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mentally ill or have been ignored.

14. I added an affidavit certified by SAPS regarding how the split parenting plan occurred almost a year ago to the case file at Children's Court via the Clerk of Children's Court with BADISA copied in on it.

15. I have emailed BADISA three or more times regarding this and repeated the facts in person to all parties present at the mediation for the new parenting plan.

16. Mark, Mr Nkosi, Ms Lyons, Lynn Swartz and BADISA were there in person when I explained the events leading up to the 50-50% parenting split and did not inform the Honourable Court. I am unsure of why they have not.

17. I also informed BADISA via email why I was not going to pursue the matter in Children's Court any longer – due to health reasons, financial reasons, almost losing visitation full care of my son despite the fact that I was primary for almost 9 years and approached Children's Court for help, and the lack of resources, training regarding emotional and psychological abuse (and the non implementation of legislature regarding this by the DoJ), lack of ethics of officials involved in the case, lack of adherence to correct protocol by officials on the case and susptected corruption in BADISA, SAPS and the FCS through Mark's

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SAPS contacts.

18. I have signed the new parenting plan to protect myself due to high risk for COVID mortality and to avoid more court appearances, to give me time to rebuild my physical health and life, to protect my mental health to focus on the remainder of my studies to enable me to work and, most importantly, to spend precious time with my children.

19. The Department of Social Devlopment has been made aware of all of this throughout this case.

20. I have spent a year and a half in the Department of Justice trying to get assistance for the mental and emotional abuse, for both my son and myself, from various departments and have been repeatedly ignored, accused of making false allegations or have been called "crazy" and almost lost visitaion of my son with no investigation being done by relevant officials.

21. My family and life partnership has been destroyed with no intervention from BADISA or the FCS and my son has lost one of his primary care-givers, and his primary family unit, with departments refusing to invetigate or assist us and in some instances assisting with and furthering the mental and emotional abuse.

NOW

22. I have come to accept that Mark's behaviour will not change, that no parenting plan will work and that the system also does not know how to deal with or manage this type of abuse or personality.

23. This has been a sad waste of health, precious time with my children, resources and much needed finances. I have lost almost everything in this process and have come out worse than I went in to ask for assistance. I can not afford to lose more.

24. Jed has been questioned unnecessarily and been further traumatized and put under undue stress during this process and I do not want him to have to go through further questioning and meetings with strangers.

25. I am currently finishing off a course in recovery for trauma and addiction that, after a year of study despite my ongoing challenges and trying to be present for my son, I have almost completed.

26. I am currently doing relevant clinical hours for the course in a facility that requires strict adherence to COVID protocols and I can not put patients at risk due to being in public places at this time.

27. I will then be moving permanently into this arena and the same will apply as I do shifts in lockdown treatment facilities and hospitals with high standards of COVID protocol in place.

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28. I do service at a Women's Shelter and have been asked by a life coach in Johannesburg to assist running the Cape Town support group for Narcissitic Abuse. I need to be mentally and emotionally stable and in recovery to do this. Triggered Trauma requires constant re-regulation and is not condusive to my work or recovery.

29. My treatment by our Department of Social Development during this case lead me to seek treatment for the resulting Post Traumatic Stress Disorder early in 2020. I have no wished to be further blamed for my abuse, told I am lying or further traumatized by this process or simply ignored and to waste more time and resources. I am on solid ground and will not put my son, my recovery or financial welfare at further risk.

30. I am mentoring three survivors from abuse, in recovery, personally and am busy developing a program for this that I have delayed working on since I apprached court in June 2019. I also aim to further my studies. I can not put my life on hold any longer due to financial constraints and time.

31. I need to be healthy, grounded and emotionally stable both to do my work (which is emotionally challenging and requires a strong and stable nervous system which ongoing abuse does not facilitate) to be of service. Constantly being forced into unnecessary contact with a cluster B personality and / or addict is not condusive to recovery from trauma and / or addiction and is considered high risk for relapse and

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victims of trauma.

32. It has come to my attention that Mark has been allowing visits from his ex-girlfriends children with Jed every Wednesday (who are at school) – despite the fact that I have requested to keep Jed homeschooled due to the health risks for my mother and myself. I have not bothered to inform BADISA as I do not believe they will assist or hold Mark accountable.

33. It has been brought to my attention that Mark and his partner are be going to attend psychedelic trance events again have been asking publicly when the next event is and I do not believe social distancing will be adhered to at these events.

34. Children's Court have been negligent in their investigation of Mark's use of drugs and clearly do not understand addiction or addicts / are not qualified to be handling these types of investigations.

35. BADISA have been negiligent and gender-biased in their investigation and reports to court on this case and have refused to alter reports that I told them were incorrect.

36. My experience in our Deparment of Social Justice has further abused and traumatized both my son and myself and I will not subject either of

NO CONTACT NOW

us to this any further.

37. There is a full affidavit of the events in Children's Court and the harrasment by Mark Holgate during this case as well as the history of abuse, with relevant evidence, added to a new accusation by Mark in Civil Court now that BADISA was sent access to.

38. BADISA declined to read. No relevant departments in the Department of Social Development that it was shared with have responded.

39. I have requested that Cattow, Neethling and WIID submit all pleas to the Family Advocate for the Civil Court matter as Mark's motion contains parental rights and responsibilites and this is correct procedure for Civil Cases that include these. Mr Nkosi confirms that he has done this.

40. I have documented the entire case with BADISA, Children's Court and Maintenance Court (financial abuse is part of emotional and psychological abuse and should be considered evidence) via email as it has unfolded. All directly to relevant goverment departments. Our goverment has everything it needs to investigate and make it's own decisions, amends or discards itself and I am unable and unwilling to assist further at this juncture unless relevant evidence to my claims is required and I can send it in writing to avoid public health risks. I have spent hundreds of billable hours providing evidence and background on

the case and it has been ignored by BADISA.

41. I strongly suggest that all Mark Holgate's claims are investigated in full moving forward if any investigation is done further and that he is required to provide relevant evidence and that I am asked to provide relevant evidence and information on events in response before further decisions are made by any officials in the DoJ moving forward. This far the man has simply been belived and the woman ignored in full or accused of lying.

42. I request that the Honourable Court apply the "cautionary rule" regarding evidence and facts provided by mark Timothy Holgate due to the nature of this personality moving forward and that BADISA are requested by the Honourable Court to do adequate investigation before submitting further reports and that all communication between BADISA, Mark and I be made fully transparent.

43. If correct protocol had been adhered to, there had been no bias, proper investigation had been done, the system was adequately trained to understand what it was seeing, what it was dealing with and how to address it and the law had been adhered to by relevant departments in the Department of Social Justice, I would have been able to protect myself and my family.

44. BADISA was given a Doctor's Certificate some months ago when I tried to protect my health and have ignored the risk of appearing in public arenas during COVID thus far and have, once again, put me in the position of appearing in court again This despite the fact that they have the information needed to explain in full why I never agreed to the 50-50% parenting split and, in fact, asked for sole custody of Jed with reasonable visitation for Mark. I question why this is so.

45. Instead of protecting Jed our system has placed him, repeatedly in hte firing line and further at risk, and continues to do so.

46. I have agreed to the parenting plan and made clear my reasons for no longer being willing or able to proceed any further with this matter right now in emails to BADISA in August 2020. I question why this was not shared with the court by BADISA.

47. With all due respect to the Honourable Court, I reserve my right to Life as per our Bill of Rights and am no longer able to attend public courts while it is not safe for me to do so, or until I can afford good lawyer to represent me in my stead, so that I may be excused for the remainder of court appearances.

48. I will am also not willing to further utilize the services of BADISA, SAPS or the FCS and will continue this case when I am able to hire private professionals - specifically trained in addiction, emotional and

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psychlogical abuse and family dysfunction, who can explain properly to the court how these impact the human brain (specifically of a child in early development), nervous system, social functioning, intimate relationships and psychological health over time.

49. I ask the Honourable Court to note that I finish this affidavit at 1:08am. These are regular working hours for me since I have had to handle my own cases and this further impacts my physical health negatively.

50. If the Honourable Court requires further information on either Mark or I BADISA has three plus files of evidence to refer to regarding this case and a full case file with evidence that I personally handed to them in September 2019. I feel, after my efforts to assist them in making a reasonble decision and the health and hours that I have lost without being heard for almost a year and a half, the onus is now on BADISA to correct any reports that they have submitted to the court that are incorrect.

51. I have repeatedly stated that if Mark gets into recovery, stops using drugs and follows a 12 Step Program that could amend his behaviour that I will consent to the 50-50% split after it was ordered. Jed requested that visitation NOT be split 50-50% in January 2020 to me personally and that we revert to the original visitation. He has subsequently been convinced by Mark that it is "not fair" if visitation is not a 50-50% split and Jed is afraid of Mark. I informed BADISA of this

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and have been ignored and made out to be a bitter, unreasonable ex-wife. This could not be farther from the truth.

52. There is a less than 3% recovery rate for the type of behaviour Mark has exhibited over the last ten years, as well as for addiction, with current therapies and models in place used to treat these. Mark has ignored repeated emails from me pleading with him to seek recovery for Jed's sake over the last 5 years and has continued to cause havoc in both Jed's life and mine. An addiction specialist would clearly explain how the thinking and behaviour of an addict is even more problematic than the use of substances and how severely this impacts the surrounding family members and children. BADISA clearly does not understand how addiction works.

53. Mark ignored a request from me to take a 90 day window 16 panel hair follicle test (for my account and who would come to his location immediately) for use of drugs on the day that I was told to sign the new parenting plan by BADISA to settle this dispute and to put my mind at ease with Jed being there for 50% care. BADISA was copied in on the correspondence and did not comment or intervene.

54. Children growing up with primary care-givers that have addiction problems and who are exposed to Mark's behaviour and the resultant family dsyfunction end up with developmental trauma which results in them developing psychological problems ranging from alcohol and drug

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addiction, to process addictions (sex and love addictions, eating disorders, co-dependency), to severe mental health issues ranging from anxiety and depression to BiPolar Disorder and Schizophrenia later on in life.

55. Due to both Mark and my history with addiction, I request that the Honourable Court add a mandatory hair follicle 16 panel drug test to be added to any parenting plan agreed on as on order of court for both Mark and I on request from either of us, the account of which to be paid by the party requesting it. The urine tests currently being used by the Department of Social Development are not adequate to indicate use of substances and addiction problems and children are being unnecessarily put at risk.

56. I signed the new parenting plan despite this as BADISA has been unconcerned with Mark's opne admission in court of his use of subtances, the fact that he was caught lying by Ms Le Pann regarding this, and has continued to claim that I am making false allegations.

57. After the court appearnce in August Ms Swartz phoned me to say that the Honourable Court requested that I appear to explain why I was not in agreement with the new parenting plan and asked me if I would confirm that I would adhere to the new parenting plan until this matter was settled.

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58. I have had no feedback or response from Lynn Swartz since the court date in August 2020 after she called me to say that the Honourable Court wished to hear further from me and she requested that I confirm that we adhere to the new signed parenting plan.

59. Mark has, subsequently, broken agreements in place from the new parenting plan since we Signed it in August and has attempted to renegoatiate it privately.

60. I have repeatedly asked BADISA for an airtight parenting plan so that Mark's behaviour is monitored and does not continue.

61. When I notified BADISA that Mark had broken the new parenting plan multiple times within six weeks of it being signed they said that they would notify the court.

62. After a second round of Mark breaking agreements on the new parenting plan, and refusing a parental organizer again, BADISA now say that we should follow the interim court order ordered by Ms Le Pann in December 2019 again.

63. I have written to BADISA for clarification on why I have now been told to adehre to the interim court order but have received no response from BADISA, Ms Swartz or Mr Nkosi who were copied in on the

correspondence.

64. Any opportunity for engangement, contact or confusion over arrangements with a personallity who shows a clear history of abusive behaviour is an opportunity to further the abuse. Mark has clearly shown that he will draw Jed into the acrimony, my daughter into acrimony and my mother into the acrimony.

65. My daughter is not his biological child and suffers from PTSD from being exposed to Mark during our marriage and Mark refuses to adhere to boundaries regarding not contacting her or my mother.

66. If the Honourable Court requires further investigation, evidence and court appearances I humbly request that Mark is held liable for costs for me to hire a lawyer of my own choosing to represent myself and Jed in my stead so that I do not have to appear in person again. And to protect Jed from any current protocol in Children's Court that is traumatic for a child or that we attend a pre-trail conference due to the cpmplication of this case that is in a venue in which we can pratcie social distancing for health reasons.

67. I have offered BADISA the services of an organization, that I am a member of who deals specifically with Narcissistic abuse and who has a range of professionals available, from attorneys to psychologists, who will provide free information and training to BADISA and have been

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ignored. This organization would be more than willing to be of service on this matter pro bono as consultants.

68. Were it not for Mark's actions and resolute refusal to mediate for ongoing 5 years, and then the outrageous false accusation that my life partner had sexually molested Jed to remove my support and Gulam from Jed's life, I would never have had to approach Children's Court.

69. I have a full record of the proceeings of this process and the events leading up to it at the disposal of the court. BADISA has this in full.

70. BADISA has still not spoken to the four private social workers hired to do the initial investigation at this time or investigated the events leading up to me approaching Children's Court directly for assistance.

71. I request that BADISA provides me with a full case file of our file in Children's Court. BADISA have refused to do this after repeated requests by myself and have not informed me of the correct process to get one.

72. I have repeatedly requested of BADISA that relevant social workers on our case be made available by BADISA to be cross examined by myself in court, as is my legal right, and have been ignored by BADISA.

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73. I have requested of BADISA that the legal aid lawyers representing Jed be made available to be cross examined by myself in court and have been ignored by BADISA.

74. I request that the Honourable Court ask BADISA for a written report on why BADISA and Legal-Aid suggested to the court that I was unfit to parent Jed and that primary and full visitation be given to Mark in December 2019.

75. I request a copy of the report submitted by BADISA to the court in August 2020 as I have not been given the opportunity to read it by BADISA.

76. I have informed Ms Wiesnaar that I am unable to attend court on 16th due to having clinical observation hours required for my final training in addiction and recovery being booked during this time. I can not go into a Dual-Diagnosis Lockdown facility with strict COVID protocol after a court appearance or for a reasonable duration after being in a high risk environment. Patients are quarantined and tested before they are moved to the common part of the facility and we are conconsdered to be the risk to them and are, ethically, required to adhere to strict COVID protocol.

77. Ms Wiesnaar has not responded to my email and I am uncertain on how to excuse myself from court as this has not been adequately

explained to me by BADISA when I have requested that I not appear for health reasons (once simply for a postponement that I then appeared for, while Mark Hoglate did not).

78. No mention of Mark not appearing at court and not folliwng correct procedure to excuse himself was mentioned by the court or BADISA.

79. I will need to start shifts in these facilities immediately to earn income as I am now being apporached by lawyers to settle accounts that I have been uable to maintain due to the length of and lack of investigation done during this process. BADISA have been repeatedly informed of my finanical stress and have ignored this while I have run further into debt representing myself.

80. I will not be able to appear in court for professional reasons if I am employed at one of these facitlities due to COVID lock down protocol for the institutions, which is my goal and which is what I have been working towards for a year despite these ongoing challenges.

81. I had no response from Ms Swartz to relevant requests and emails after my intial meeting with her when I hired her firm in 2019 until I called her personally on Friday the 21 August 2020 before the mediation with BADISA on Monday 25th August 2020.

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82. Ms Swartz informed me, when I reached out to her on via WhatsApp on 7th October 2020, that she is booked off until Monday 12th and responded that she is booked of until Monday 12th ,again on the second occasion I reached out to her on WhatsApp on 8th October 2020.

83. Ms Swartz did not provide information on her request for me to adhere to the new parenting plan after the court appearance in August 2020.

84. Heads of Argument for the Civil Court matter are due on Monday 12th, co-incidentally, that contain parental rights and responsibilites.

85. I have fired Ms Swartz due to professional negligence and suspected corruption and make a note of this herewith.

86. Mark, or his acting lawyer at times, have approached professionals and, I suspect, goverment officials repeatedly during this case in private without my knowledge.

87. BADISA refused to answer my questions regarding whether they met with Mark prior to their report where they claimed I was mentally unfit to parent Jed and suggested to the court that primary care and full visitaton be granted to mark in December 2019. BADISA had not met or spoken to me in person prior to writing their report.

88. Mark Timothy Holgate then told the Honourable Court that I am mentally fit to parent at the Court Appearance prior to the August 202 appearance and agreed to being to mediate a new parenting plan with BADISA.

89. On 9th October 2020, Mark Timothy Hoglate began, again, to accuse me of being mentally ill since the Honourable Court has requested to hear my views on not agreeing with the new parenting plan.

90. BADISA have been furnished with proof of this and have not responded.

91. I attach final email correspondence with BADISA herewith that I believe with provide the Honourable Court with further understanding of what has transpired.

92. If the court wishes to proceed with this matter further I respectfully request that my pleas above regarding this be heard or that I am able to be present in person in an enviroment that adheres to social distancing protocols in full as per COVID most recent regulation updates.

93. If the court wishes to proceed with this matter further I respectfully request that all information that I have provided to BADISA, the FCS and SAPS be regarded as true and accurate and that Mark be

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considered to be the vexatious and dishonest witness in this matter and not myself as has been the case thus far by all officials involved in this matter as per the direction of Mark Timothy Holgate.

94. I attach a copy of the Constitution and our Bill of Rights with violations that I believe have been committed on this case by both Mark Timothy Hoglate and the Department of Social Development and request that the Honourable Court notes this herewith.

95. I came in to the Department of Justice with enormous respect for the court and absolute faith in the legal process. That the truth and justice would prevail. I was naive.

96. I no longer have faith in our Department of Social Justice and do not wish to engage with the Department further as I am afraid of the consequences for myself and my son.

97. I thank the Honourable Court for giving me the opportunity to be heard.

Signed on: _____

_____

Nicole Dreyer

I certify that the above signature is the true signature of the deponent and the she has knowledge and she knows and understands the contents of this affidavit which affidavit was signed and sworn to before me in my presence at Kirstenhof on this 11th day of November 2020, in accordance with Government Notice No R1258 dated 21 July 1972, as amended by Government Notice no R1648 dated 19 August 01977, as further amended by Government Notice no R1428 dated 11 July 1980, and by Government Notice No R774 of 23 April 1982.

SOUTH AFRICAN POLICE SERVICE
KIRSTENHOF SAPS
2020 -11- 11
CSC